I. What To Do If Cal/OSHA Comes To Your Worksite

(Pages 1 & 2 show a ten point reference guide in case you are contacted by Cal/OSHA. For more in depth information regarding this subject please see pages 3-6.)

1. If a Cal/OSHA Investigator shows up at your worksite, ask her/him to please have a seat and then advise the highest ranking Management Representative at the site and your Department Safety Representative (DSR) that a Cal/OSHA Investigator is waiting.

Also Immediately Contact:

Placer County Risk Management (530) 886-2600 and/or;

Placer County Safety Officer at (530) 308-0192

If you receive a telephone call, letter of inquiry or any other contact from Cal/OSHA immediately notify your management chain and the Risk Management Office.

- 2. Ask the Investigator for their State Identification Card and business card if they have not already provided them. Be aware that there have been recent fraud cases in the area and if you are not convinced you may contact the Cal/OSHA Regional Office to inquire at (916) 263-2800.
- 3. Once credentials have been verified, **if the Investigator is there on a reported "imminent danger" situation** she/he will ask to be taken immediately to the area in question and may issue an order prohibiting use (OPU) before conducting the Opening Conference.
- 4. **Do not deny access to an Investigator** or ask her/him to come back at a more convenient time.
- 5. Inform the Investigator that Placer County Management Representatives are on the way to meet with her/him. If affected employees are represented by a Union, the Investigator **may** request a Union Representative to be present for the Opening Conference, but it is not required.
- 6. During the **Opening Conference** the Investigator will explain the reason for and scope of the inspection. Always be courteous and take careful notes! The Investigator may request to see certain documents such as your Injury and Illness Prevention Program (IIPP), injury reports, training records or other safety and health records. Provide specifically what is asked for but do not offer more than what is asked for and do not generally open your files to the Investigator.

7. The next step if necessary is the **inspection or "walk around"**. The Investigator may conduct random employee interviews. The Investigator may conduct these interviews confidentially with employees, without Placer County Management involvement. If the Investigator takes pictures of the worksite, take the same picture if possible or make a note as to what was being photographed. If the Investigator conducts any tests or environmental sampling ask what is being tested/sampled for. If the Investigator is using direct reading devices, ask to see the sample results and write them down.

If during the inspection, hazards are identified that can safely be corrected immediately (i.e., blocked exitways), correct those hazards.

- 8. If the Investigator believes there is a need she/he can issue an **Order to Preserve**, ordering a worksite or equipment to be preserved as is until the investigation is complete.
- 9. During the **Closing Conference** the Investigator will identify any alleged violations of the standards and the requirements for abatement of the hazardous conditions. The Investigator will inform Placer County if they should expect to be issued any citations and what the classification and monetary penalties will be.
- 10. As soon as possible after the Investigator leaves, formalize your notes into a document that summarizes the investigation issues and provide a copy to the Risk Management Director.

II. Cal-OSHA Inspection Policy - Placer County

A. Introduction

Cal/OSHA is authorized to conduct workplace inspections to enforce occupational safety and health standards at any given time. By law, Cal/OSHA Compliance Officers will <u>not</u> call in advance to advise Placer County of an upcoming inspection.

A Cal/OSHA Compliance Officer may show up at any time and request access to your department/division or worksite. Cal/OSHA inspection priorities are based on the following:

- 1. A report of an imminent hazard to employees (This could include reports by the union, public, news media or law enforcement/fire);
- 2. A fatality or catastrophe;
- 3. An investigation of serious injury or exposure to hazardous substances;
- 4. A formal employee complaint;
- 5. Scheduled inspection of businesses with higher than average potential risk.

Employee complaints are the leading cause of Cal/OSHA investigations in Placer County. Always be sure employees have access to the Placer County Safety Hazard Reporting Forms (Safety Hazard Report) and respond to any that have been submitted, in a timely manner. This will help to upgrade existing safety programs and minimize employee reporting to Cal/OSHA.

Sometimes Cal/OSHA will send a letter of inquiry about a reported safety hazard and ask for written feedback from Placer County management. If your department has any contact from Cal/OSHA in any form (i.e., compliance inspection, letter of inquiry, telephone inquiry or other correspondence) always contact the Risk Management/Safety Office for further assistance. Any and all written responses to Cal/OSHA shall be cleared by Risk Management.

Contact the Risk Management Office at (530)886-2600 and/or the Safety Office at 886-2617. If for any reason you are unable to connect with a person please try the County Safety Officer at cell phone number (530)308-0192.

B. Initial Contact - When Cal-OSHA Comes to Your Department

When a Cal/OSHA inspector shows up at your workplace:

- 1. Ask to see their State of California photo identification card, and;
- 2. Ask to see their Division of Occupational Safety and Health business card, and;
- 3. Ask what the reason is for the visit.

If an inspector cannot show these forms of identification, do not allow him/her access to the facility job site. There have been attempted fraudulent inspections recently at, at least one business in Placer County. Call the nearest Cal-OSHA Office at (916)263-2800 to make a report. Then call Risk Management at (530)886-2600.

Once the inspector has produced his/her credentials, ask the inspector to wait while you contact:

- 1. A management level representative or the highest ranking Placer County employee at the inspection site. If there is no manager available, call your Department Head for direction;
- 2. The Risk Management/Safety Office;
- 3. Your Department Safety Representative, and;
- 4. Any representative identified by your specific departmental procedures.

Imminent hazards – If an inspection is being conducted because of an imminent hazard, the Cal-OSHA enforcement inspector, after identifying themselves to the nearest available representative of the employer (management level or not), will ask to be taken immediately to the site of the alleged imminent hazard. After all employees have been removed from exposure to the imminent hazard, the inspector will conduct an opening conference.

Order prohibiting use (OPU) – If during an investigation/inspection the Cal/OSHA enforcement inspector concludes that a condition or practice exists which creates an imminent hazard to the health and safety of workers, the affected workers are informed and an order prohibiting use is issued to the employer. This order prohibits employee use of the area, machine or equipment that presents the hazard and a yellow tag is placed conspicuously in the area where the hazard exists. The yellow tag may not be removed until the hazardous condition no longer exists or the required safeguards and safety devices are installed. Only an authorized Cal/OSHA engineer or industrial hygienist can remove the yellow tag.

C. Opening Conference

An opening conference should be conducted with the highest ranking Placer County employee available at the inspected work site. The Cal/OSHA inspector will explains the reason for and scope of the inspection. A joint opening conference is usually held with the employer representative and bargaining unit representative if involved employees belong to a union. If the joint conference is not possible, separate opening conferences will be held.

Cal/OSHA inspectors may ask to review any applicable permits and registration, documentation of workers' compensation coverage, occupational safety and health records, and your written Injury and Illness Prevention Program and any other required written programs. In some cases, if records cannot be produced immediately, the inspector may leave a document request sheet with a specific time period (usually three working days) for Placer County to produce the documents. Be careful to provide only what is asked for. Take good notes during the opening conference and walk around inspection.

D. Investigation/Inspection/ Walk Around

The Cal/OSHA inspector informs the employer of inspection walk around procedures, employee interviews to be conducted, photographs of the work site that may be taken, testing and environmental samples that may be taken. If hazards observed during the walk around are violations of the Cal/OSHA Title 8 safety orders (http://www.dir.ca.gov/samples/search/query.htm), citations will be issued and monetary penalties proposed.

E. Closing Conference

Immediately following the inspection the Cal/OSHA inspector will hold a closing conference with Placer County Management at the site to discuss any alleged violations, citations and requirements for abatement (i.e., corrective actions).

The inspector will also discuss the possibility of follow up inspections, the right to contest the citations/monetary penalties, the reasonableness of the abatement requirements or abatement date and Placer County's right to an informal conference to review the Cal/OSHA enforcement actions.

The inspector will also discuss Placer County's right to appeal the citations. Any appeal must be made in writing within 15 working days of receipt of the citation. For more information on the appeal process, see http://www.dir.ca.gov/OSHAB/oshab.html. Placer County Risk Management will provide assistance with this process.

F. Citations

If citations are issued by Cal-OSHA due to alleged violations of the Title 8, Cal/OSHA Regulations:

- 1. The citations must be prominently posted at or near each place of violation for citations classified as **serious violations**.
- 2. The citations must be prominently posted in a place where they are readily seen by employees for citations classified as **general/regulatory violations.**

G. More Information

For more in depth information on this topic go to: http://www.dir.ca.gov/dosh/dosh_publications/osha_userguide.pdf

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